

APR 21 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TERESITA M. ORTAL,

Plaintiff - Appellant,

v.

MARY FINGEL-ERICKSON,
individually and/or in her official capacity
as judge of the Superior Court of Orange
County; et al.,

Defendants - Appellees.

No. 08-55938

D.C. No. 8:07-cv-00463-AHS-AN

MEMORANDUM *

Appeal from the United States District Court
for the Central District of California
Alicemarie H. Stotler, District Judge, Presiding

Submitted April 13, 2009 **

Before: GRABER, GOULD and BEA, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Teresita M. Ortal appeals pro se the district court's Order denying her Motion for Reconsideration following the district court's Order granting Defendants' Motions to Dismiss First Amended Complaint and Dismissing the Action. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's grant of a motion to dismiss. *Hicks v. Small*, 69 F.3d 967, 969 (9th Cir. 1995).

We affirm for the reasons stated in the district court's Order granting Defendants' Motions to Dismiss First Amended Complaint and Dismissing the Action, filed on January 29, 2008, and the district court's Order Denying the Motion for Reconsideration, filed on April 28, 2008.

AFFIRMED.